

10 U.S.C §2694d. Participation in pollutant banks and water quality trading

(a) Authority to Participate.—The Secretary of a military department, and the Secretary of Defense with respect to matters concerning a Defense Agency, when engaged in an authorized activity that may or will result in the discharge of pollutants as defined in Clean Water Section 502(12) (33 U.S.C. 1362(12)), may make payments to a pollutant banking program or water quality trading program approved in accordance with the Federal Guidance from USEPA, Office of Water, Water Quality Trading Policy January 13, 2003, or any successor administrative guidance or regulation.

(b) Treatment of Payments.—Payments made under subsection (a) to a pollutant banking program or water quality trading program may be treated as eligible project costs for military construction.